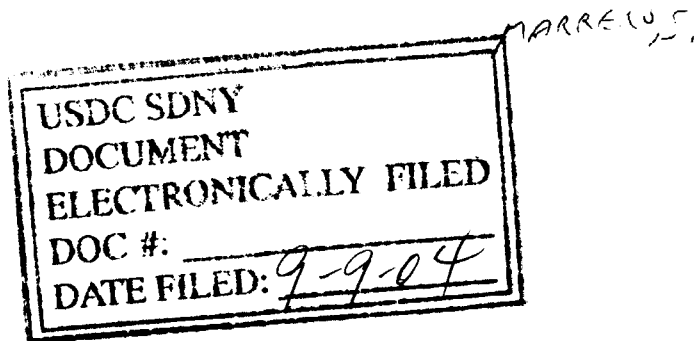


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIMBERLEY MCGRAW EUSTON,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

Civil Action No.: 04-CV 02923 (VM)

STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE

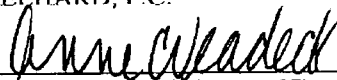
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for the parties herein that the above-captioned matter be and hereby is dismissed with
prejudice and without attorney's fees or costs to either party.

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SO ORDERED: 

U.S.D.J.
Victor Marrero

Dated: 9 September 2004